

**REMARKS**

Claims 1-23 remain pending in the present application.

**Claims 1, 4-6, 8, 12, 15, 16, 20 and 23 over Tanaka**

In the Office Action, claims 1, 4-6, 8, 12, 15, 16, 20 and 23 were rejected under 35 USC 102(e) as allegedly being anticipated by U.S. Pat. No. 6,542,749 to Tanaka et al. ("Tanaka"), with reliance on provisional applications 60/216,721, 60/214,197, 60/210,691 and 60/210,682 for priority prior to the Applicant's filing date. The Applicant respectfully traverses the rejections.

Claims 1, 4-6, 8, 12, 15, 16, 20 and 23 recite a system and method wherein a reminder is automatically **directly** transferred to another wireless PDA based on a detected proximity between two PDA devices.

The Examiner alleges Tanaka discloses "a reminder application that is triggered when a first mobile unit is in close proximate to a second mobile unit" at col. 7, lines 1-10; col. 14, line 60-col. 15, line 48; col. 17, lines 1-55 (See Office Action, page 2). However, Tanaka disclose a telecommunications unit that initiates a connection to the closest predetermined number of users within a group (See Tanaka, col. 6, lines 55-col. 7, line 10). The closest predetermined users can be downloaded from a PDA (See Tanaka, col. 5, lines 57-65).

Thus, within all of Tanaka's disclosures, information between any two devices is transferred over a telephone network **NOT directly** between two devices, much less **directly** from one PDA to another PDA, as recited by claims 1, 4-6, 8, 12, 15, 16, 20 and 23.

A benefit of a system and method wherein a reminder is automatically **directly** transferred to another wireless PDA based on a detected proximity between two PDA devices is, e.g., the ability to remind a user of another PDA of an event without relying on paid networks. Many PDAs have built in capability to communicate with other PDAs through WiFi, infrared and/or Bluetooth front end(s). None of the built in wireless front ends within a PDA require a service fee, as with Tanaka's use of wireless telecommunications network. Thus, PDA users that are within proximate distance from each other at places such as, e.g., a business meeting, can remind other PDA users of

important events without associated service contract fees. The cited prior art fails to disclose or suggest the claimed features having such benefits.

For at least all the above reasons, claims 1, 4-6, 8, 12, 15, 16, 20 and 23 are patentable over the prior art of record. It is therefore respectfully requested that the rejections be withdrawn.

**Claims 2, 3, 9-11, 14, 17-19 and 22 over Tanaka in view of Erikson**

In the Office Action, claims 2, 3, 9-11, 14, 17-19 and 22 were rejected under 35 USC 103(a) as allegedly being obvious over Tanaka in view of U.S. Patent No. 6,622,018 to Erikson ("Erikson"). The Applicant respectfully traverses the rejections.

Claims 2, 3, 9-11, 14, 17-19 and 22 are dependent on claims 1, 8, 12, 16 and 20, and are allowable for at least the same reasons as claims 1, 8, 12, 16 and 20.

Claims 2, 3, 9-11, 14, 17-19 and 22 recite a system and method wherein a reminder is automatically directly transferred to another wireless PDA based on a detected proximity between two PDA devices.

As discussed above, Tanaka fails to disclose or suggest a system and method wherein a reminder is automatically directly transferred to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 2, 3, 9-11, 14, 17-19 and 22.

The Office Action acknowledges that Tanaka fails to disclose a piconet/bluetooth front end (Office Action, page 4). The Office Action relies on Erikson to allegedly make up for the deficiencies in Tanaka to arrive at the claimed invention. The Applicant respectfully disagrees.

Erikson discloses a system and method for controlling a remote device over a wireless connection (See Abstract). In one embodiment, a hand-held computer system having a Bluetooth-enabled transceiver is used to control other Bluetooth-enabled devices (See Erikson, Abstract). Erikson discloses passing commands from one Bluetooth-enabled device to another, failing to disclose or suggest passing any information between two Bluetooth-enabled devices based on a detected proximity between two devices, much less a system

and method wherein a reminder is automatically **directly** transferred to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 2, 3, 9-11, 14, 17-19 and 22.

Thus, even if the modification of Tanaka with the disclosure of Erekson were obvious (which it is not), the theoretical combination would fail to disclose a system and method wherein a reminder is automatically **directly** transferred to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 2, 3, 9-11, 14, 17-19 and 22.

For at least all the above reasons, claims 2, 3, 9-11, 14, 17-19 and 22 are patentable over the prior art of record. It is therefore respectfully requested that the rejections be withdrawn.

#### **Claims 13 and 21 over Tanaka in view of Berstis**

In the Office Action, claims 13 and 21 were rejected under 35 USC 103(a) as allegedly being obvious over Tanaka in view of U.S. Patent No. 6,650,894 to Berstis et al. ("Berstis"). The Applicant respectfully traverses the rejections.

Claims 13 and 21 are dependent on claims 12 and 20, and are allowable for at least the same reasons as claims 12 and 20.

Claims 13 and 21 recite a system and method wherein a reminder is automatically **directly** transferred to another wireless PDA based on a detected proximity between two PDA devices.

As discussed above, Tanaka fails to disclose or suggest a system and method wherein a reminder is automatically **directly** transferred to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 13 and 21.

The Office Action acknowledges that Tanaka fails to disclose a reminder that is an audible alert (See Office Action, page 4). The Office Action relies on Berstis to allegedly make up for the deficiencies in Tanaka to arrive at the claimed invention. The Applicant respectfully disagrees.

Berstis discloses a system and method of adjusting a level of usage of an electronic device according to a proximity of other electronic devices (See

Abstract). Based on time of day, proximity to another mobile phone and caller ID received, an audio output is conditionally activated to alert a user of the mobile phone of an incoming call (See Berstis, col. 4, lines 58-67).

Thus, Berstis discloses a system and method of controlling a behavior of an electronic device based on its proximity to another electronic device. Berstis fails to disclose basing a transfer of information from one electronic device to another electronic device based on a proximity between the two electronic devices, much less a system and method wherein a reminder is automatically directly transferred to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 13 and 21.

Moreover, even if the modification of Tanaka with the teachings of Berstis were obvious (which it is not), the theoretical combination would fail to disclose a system and method wherein a reminder is automatically directly transferred to another wireless PDA based on a detected proximity between two PDA devices, as recited by claims 13 and 21.

For at least all the above reasons, claims 13 and 21 are patentable over the prior art of record. It is therefore respectfully requested that the rejections be withdrawn.

### **Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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William H. Bollman  
Reg. No. 36,457

**MANELLI DENISON & SELTER PLLC**  
2000 M Street, NW 7<sup>TH</sup> Floor  
Washington, DC 20036-3307  
TEL. (202) 261-1020  
FAX. (202) 887-0336  
WHB/df